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*R.A.*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/529,816 07/31/00 THIBIERGE

E 000531

EXAMINER

IM52/0228

ARMSTRONG WESTERMAN HATTORI  
MCLELAND & NAUGHTON  
SUITE 1000  
1725 K STREET NW  
WASHINGTON DC 20006

CHIN, P	
ART UNIT	PAPER NUMBER

1731

DATE MAILED:

*7*

02/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/529,816

Applicant(s)

Thibierge et al

Examiner

Peter Chin

Group Art Unit

1731

☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-14 is/are pending in the application.

Of the above, claim(s) 6-14 is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-5 is/are rejected.

☒ Claim(s) 6-14 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### DETAILED ACTION

1. Claims 1-5 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Britt (2,890,540).

It is noted that irrespective of the manner or process by which the textile pattern is embossed onto the surface of paper, the paper has a damask cloth pattern surface and as such is anticipated or at the least obviously shown by the damask cloth pattern embossed paper of Britt.

2. Claims 8-14 are objected to under 37 CFR 1.75© as being in improper form because a multiple dependent claim can not depend from another multidependent claim. See MPEP § 608.01(n). Accordingly, the claims 8-14 have not been further treated on the merits.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Day (65,000) shows embossing paper with fabric to emboss a cloth pattern onto the surface of the paper. This reference is highly pertinent..

Taylor (361,849) discloses impressing or embossing a wet sheet of paper with a fabric to impart the fabric pattern to the paper prior to drying during the paper making process. This reference is highly pertinent.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Chin whose telephone number is (703) 308-2046. The examiner can normally be reached from Monday to Friday.

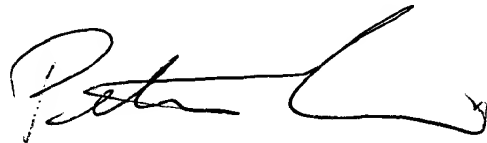
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman, can be reached on (703) 308-3837. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.

A handwritten signature in black ink, appearing to read 'Peter Chin', with a stylized flourish at the end.

**PETER CHIN  
PRIMARY EXAMINER**